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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WARNER BROS. ENTERTAINMENT INC.; TWENTIETH CENTURY FOX FILM CORPORATION; COLUMBIA PICTURES INDUSTRIES, INC.; UNIVERSAL CITY STUDIOS LLC; UNIVERSAL STUDIOS HOME ENTERTAINMENT LLC; DISNEY ENTERPRISES, INC.; PARAMOUNT PICTURES CORPORATION; and VIACOM INTERNATIONAL, INC.,

Plaintiffs,

v.

PHAT BUI and DOES 1-10, D/B/A PUBFILM.COM, PUBFILMNO1.COM, PUBFILMHD.COM, PIDTV.COM, TOP100FILM.COM, and IDMCA.NET,

Defendants.

CIVIL ACTION
NO. 17-CV-875(VM)

CORRECTED ORDER

[FILED UNDER SEAL]

On February 7, 2017, this Court issued a temporary restraining order ("TRO") against Defendants and issued an order to show cause for preliminary injunction. The Court held a show cause hearing on February 17, 2017 and, on that date, converted the TRO into a preliminary injunction (the "February 17 Preliminary Injunction"). On February 28, this Court issued an order amending the preliminary injunction (the "February 28 Amended Preliminary Injunction") after reviewing additional evidence of Defendants' ongoing operations in violation of this Court's Orders.

On March 6, 2017, Plaintiffs submitted Errata to the Second Supplemental Declaration of Bob Brasich, attesting that the Second Supplemental Declaration of Bob Brasich had contained a typographical error as to one of the Internet Protocol addresses that was a subject of the February

28 Amended Preliminary Injunction. Likewise, the February 28 Amended Preliminary Injunction, as submitted by Plaintiffs, had included the same typographical error.

In light of the Errata to the Second Supplemental Declaration of Bob Brasich, and Plaintiffs' Application for an Order Correcting a Typographical Error in the Amended Preliminary Injunction,

IT IS HEREBY ORDERED that the definition of the "PubFilm Websites" set forth in the February 17 Preliminary Injunction and February 28 Amended Preliminary Injunction is amended and corrected to include the websites resolving at the domain names PUBFILM.AC, PUBFILM.IS, PUB77.COM, PUBFILM.CC, PUBFILM.NET, PUBFILM.COM, PUBFILMNO1.COM, PUBFILMHD.COM, PIDTV.COM, TOP100FILM.COM, and IDMCA.NET, as well as the websites located at the Internet Protocol ("IP") addresses 104.131.114.73 and 108.61.191.**141** and currently resolving at the domain names PUB77.COM, PLAYER.PUB77.COM and PLAYER.PUBFILM.AC.

IT IS FURTHER ORDERED that, pursuant to Federal Rule of Civil Procedure 65, Section 502 of the Copyright Act, Section 34 of the Lanham Act, and this Court's inherent equitable powers, that Defendants, their officers, agents, servants, employees, attorneys, and any persons in active concert or participation with them, are preliminarily enjoined from:

a. Hosting, linking to, distributing, reproducing, copying, uploading, making available for download, indexing, displaying, exhibiting, publicly performing, communicating to the public, streaming, transmitting, or otherwise exploiting or making any use of any of Plaintiffs' Works (as defined in the February 17 Preliminary Injunction) or any portion(s) thereof in any form;

b. Taking any action that directly or indirectly enables, facilitates, permits, assists, solicits, encourages or induces any user or other third party (i) to copy, host, index, reproduce, download, stream, exhibit, distribute, communicate to the public, upload, link to, transmit, publicly perform, display or otherwise use or exploit in any manner any of Plaintiffs' Works or portion(s) thereof; or (ii) to make available any of Plaintiffs' Works for copying, hosting, indexing, reproducing, downloading, streaming, exhibiting, distributing, communicating to the public, uploading, linking to, transmitting, publicly performing or displaying, or for any other use or means of exploitation;

c. Using Plaintiffs' Marks (as defined in the February 17 Preliminary Injunction) or any reproduction, counterfeit, copy or colorable imitation of Plaintiffs' Marks in connection with the distribution or advertising of any unauthorized copies of Plaintiffs' Works;

d. Committing any acts calculated to cause users to believe that the copies of Plaintiffs' Works available through the PubFilm Websites are authorized copies sponsored by, approved by, connected with, guaranteed by, or distributed under the control and/or supervision of Plaintiffs;

e. Otherwise infringing Plaintiffs' Works, Plaintiffs' Marks, and/or damaging Plaintiffs' goodwill;

f. Transferring, performing any function or taking any step that results in the transfer of the registration of any of the domain names of the PubFilm Websites (the "PubFilm Domain Names") to any other registrant or registrar;

g. Moving, destroying, or otherwise disposing of any computer files, electronic files, business records, or documents related to the PubFilm Websites, the PubFilm Domain Names, and/or Defendants' assets and operations; and

h. Assisting, aiding or abetting any other person or business entity in engaging in or performing any of the activities referred to in the above subparagraphs (a)-(g).

IT IS FURTHER ORDERED that, with respect to the PubFilm Domain Names, all domain name registries and registrars for each of the PubFilm Domain Names, including without limitation the top-level domain registry VeriSign, Inc. and the domain registrars Enom, Inc., GoDaddy.com LLC, and Namecheap Inc., shall:

a. Disable the PubFilm Domain Names, through a registry hold or otherwise, and prevent their transfer to anyone other than Plaintiffs;

b. Preserve all evidence that may be used to identify the Defendants using the PubFilm Domain Names; and

c. Refrain from providing any notice or warning to, or communicating in any way with, Defendants or Defendants' representatives and refrain from publicizing this Order until this Order is executed in full and unsealed by the Court, except as necessary to communicate with domain registrars and registries to execute this Order.

IT IS FURTHER ORDERED that Plaintiffs may serve Defendants with this Order by electronic mail and that such service shall be made no later than two (2) business days following the successful completion by domain registrars Enom, Inc., GoDaddy.com LLC and Namecheap Inc. and top-level domain registry administrator VeriSign, Inc. of the actions required above.

IT IS FURTHER ORDERED that Plaintiffs' counsel file with the Court within five (5) business days after this Order is executed, an affidavit or declaration setting forth: (a) the date on which the Order was executed, (b) the date and means by which Defendants were served with a copy of this Order, and (c) a description of the domain name, websites or any other assets that were disabled and/or restrained.

IT IS FURTHER ORDERED that, once Defendants have been served with a copy of this Order, the Court intends to unseal this case. If Plaintiffs oppose unsealing the case, they shall submit a letter to that effect by no later than five (5) business days following the filing of the affidavit or declaration described in the previous paragraph. If no letter is received by that time, the Court will unseal the case.

IT IS SO ORDERED.

Entered this 7th day of March, 2017.

Victor Marrero
United States District Judge